

**Application for the review of / Representation in respect of a
Premises licence or Club Premises certificate
under the Licensing Act 2003**

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Before completing this form, please refer to FPP 07001 (Licensing (Licensing Act 2003))

I Mark Voller, on behalf of the Chief Officer of Hampshire Constabulary,
(Insert name of applicant)

X Apply for the review of a premises licence.

Apply for the review of a club premises certificate.

(Select as applicable)

Make a representation about a premises licence/club premises certificate

Premises or Club Premises details

Postal address of premises:	WOW Fest, Land at Shanklin Road, Shanklin, Isle of Wight.
Postcode (<i>if known</i>):	

Name of premises licence holder or club holding club premises certificate (*if known*)
Wow Festivals Limited.

Number of premises licence or club premises certificate (*if known*)
IW 038743

Details of responsible authority applicant

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other title / Rank:	PS
Surname: Voller			First Names: Mark		
Current postal address :	Hampshire Constabulary, Police Licensing Unit, Jubilee Stores, The Quay, Newport, Isle of Wight.				
Postcode:	PO30 2EH				
Daytime telephone number:	01983 823154				
E-mail address: <i>(optional)</i>	mark.voller@iow.gov.uk				

Hampshire Constabulary is a responsible authority and the applicant has the delegated authority of the Chief Officer of Police in respect of his responsibilities under the Licensing Act 2003

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This application to review relates to the following licensing objective(s)

<i>Select one or more boxes</i>	
1) The prevention of crime and disorder	X
2) Public safety	X
3) The prevention of public nuisance	X
4) The protection of children from harm	X

On 22nd September 2011 the Isle of Wight Council Licensing Committee granted a premises licence for Wowfest, an open-air music festival to be held on rural land to the west of Shanklin, Isle of Wight. The licence, which applies for three successive years, permits licensable activities, including the provision of live and recorded music and the sale of alcohol, for a period of up to 5 days each year during the month of August. Condition 55 of Annex 2 of the licence provides that the maximum number of persons permitted on the licensed site shall not exceed 18000 in 2012, this maximum rising to 22000 in 2014. The first Wowfest event is planned for 16th-20th August 2012.

The licence application was contested at a hearing of the licensing committee, having generated considerable opposition from residents who might be affected by it. Police did not oppose the application outright at that time, having reached advance agreement with the applicants for 40 measures to be included on the licence in order to promote the licensing objectives.

Certain aspects of the application were not agreed between the applicants and police, however, and officers made representation to the Licensing Committee at the hearing to determine the application. The applicants had requested that the licence permit up to 30,000 persons to be present on the licensed site, but at the hearing the Committee reduced the maximum capacity broadly in line with a police representation that it should not exceed 20,000.

During the statutory consultation period (and at the hearing) police caused the licence application to be modified significantly so as to reduce the impact of Wowfest events on the community. It was clear, however, that Wowfest had potential to cause disruption to the local community, particularly as the event coincides with other major events taking place in the Isle of Wight, notably the Garlic Festival at Newchurch (18th and 19th August) and Cowes fireworks (17th August).

At the time of the licence application it was the view of police licensing and event management officers that Wowfest events could be run safely and with minimal risk of nuisance and crime and disorder provided the operators comply fully with the conditions of their premises licence (and associated event management plan) and, crucially, that there is an appropriate police presence in and around the event site. Consistent with other major music festivals held on the Island, promoters are expected to contribute towards the cost of

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special policing services. The sum due to be paid to Hampshire Constabulary is negotiated with licence holders by officers in the police event management team. On 21st September 2011, prior to the licence hearing, Wow Festivals Ltd agreed to pay the sum of £115,154.49 to Hampshire Constabulary for the provision of policing services at the first Wowfest event. This sum took no account of the provision of command structure for the event (calculated at £17,870.40), which was not charged to Wow Festivals Ltd. The sum agreed with Wowfest was based on the assumption 10,000 persons would be present at the event, with a higher sum (£121,165.49) being due in the event that 15,000 or more persons attend the event.

Hampshire Police consider that without the provision of additional policing services (as proposed under the re-charge agreement) we could not provide the level of policing cover necessary to ensure the event is run safely and in accordance with all four of the licensing objectives.

In accordance with the Isle of Wight Act 1971 (as amended), any event likely to attract a gathering of 5000 or more persons must be notified to Isle of Wight Council. Wow Festivals Ltd duly notified the authority complied with this requirement, and a hearing of the Authority on 21st May 2012, the application under the Isle of Wight Act was determined. The Authority decided to permit the application, allowing the event to go ahead, but issued a counter-notice requiring Wow Festivals Ltd to meet 109 conditions under the notice. Condition 107 required Wowfest to 'pay costs of £115,154.49 to Hampshire and Isle of Wight Police for the costs of policing response for ticket sales of up to 10,000.' Condition 108 specified that such payment must be made by 31st May 2012. To date, no such payment has been received.

Wowfest have also failed to satisfy police that infrastructure arrangements for the event site are satisfactory to ensure public safety. In particular there is doubt as to whether any company has been contracted to provide fencing of the site perimeter, a key requirement of the licence. Without suitable fencing the safety of the public could not be assured, particularly in relation to livestock on neighbouring land, nor could an effective plan to reduce crime and disorder be operated at the site.

Police have continued to engage with Wowfest promoters, who indicated on 29th May 2012 that they now wish to reduce the licensed capacity and duration of the event, also to reduce the size of the event site and to locate all activities south of the A3020 road. On 30th May 2012 the IW Council received a minor variation application to reduce the capacity to 4999 people in each of the three years permitted by the licence and to remove licensable activities on the Thursday and Monday of each event (except for provision of late night refreshment on the Monday.)

Hampshire Constabulary have no confidence that, were Wowfest to be reduced in the manner proposed, the promoters could provide a safe event in which the licensing objectives will be promoted adequately.

On 30th May 2012, after receiving information that the event was to be reduced, police provided Wowfest with revised costings based on an attendance of 4999 persons. The amount which would be due was calculated at £40,249.06. Wowfest then stated they were not in a position to make payment immediately and required further time.

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Police have grounds for believing the promoters of Wowfest do not have the financial capacity to ensure that this public event can be provided safely and without causing undue disruption to the community. In consequence the police event commander has decided that additional police resources will not be provided at the Wowfest site.

Police recommend that the licensing committee review this licence with a view to its revocation.

Have you made an application for review relating to these premises before: No

If yes please state the date of that application: / /
Day Month Year

If you have made representations before relating to this premises please state what they were

Not applicable.

Please tick

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
 - I have sent a copy of this representation to the principal licensing officer of Isle of Wight Council



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It is an offence, liable on conviction to a fine up to level 5 on the standard scale, under Section 158 of the Licensing Act 2003 to make a false statement in or in connection with this application

Signature of Officer Completing

Name	Mark Voller	Collar Number:	Sergeant 5623
Signature:	Licensing officer	Date:	01/06/12

Signature of Authorising Officer (Inspector or above)

Name	Paul Brooks	Collar Number:	Superintendent 5642
Signature:		Date:	01/06/12

RESTRICTED